11th Advanced Conference on
INTERNATIONAL
COMPLIANCE & LEGAL RISKS

Proactively Respond to Existing and Emerging Legal and Compliance Risks amid Increased Scandals and International Enforcement

26 & 27 January 2016 | Villa Kennedy Frankfurt | Germany

Corporate Perspectives From:

Allianz SE | B. Braun Melsungen AG | Commerzbank | Danone | Deutsche Bahn | Dräger | DuPont | Fresenius Medical Care | Italcementi Group | Jungeheinrich AG | Linde AG

Oando PLC | ÖBB | Philips International B.V. | Robert Bosch GmbH | Royal Bank of Scotland | Siemens AG | Sky Deutschland AG | STADA Group | TAKATA AG | Wells Fargo

2016 Highlights:

• Minimise risks associated with sponsorship, hospitality and marketing sporting events, public-private partnerships and community activities

• Key compliance lessons learned from the "Volkswagen Diesel Scandal"

• U.S. DOJ new Compliance Counsel role and the impact of the Yates memo – How increased enforcement of FCPA’s books and records provision and focus on C-level company executives liability will affect multinationals in Europe

• The Sunshine Act in Germany: How to meet transparency reporting requirements for life sciences & healthcare manufacturers

• Status update on enforcement, risk assessment and compliance defence for parent companies in Anti-Trust cases

Interactive and Practical Workshops 25 January 2016
A A Complete Guide on How to Minimise Third Party Risks
B Best Practices for Effective Compliance Programmes in High Risk Markets

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Exhibitors:

To register call +44 (0) 20 7878 6888 or visit www.C5-Online.com/CLRConference
CORPORATIONS SHOULD PREPARE FOR SEEING THE EFFECTIVENESS OF THEIR COMPLIANCE PROGRAMME CHALLENGED BY THE DEPARTMENT OF JUSTICE’S NEW COMPLIANCE COUNSEL

The last eighteen months have seen several compliance scandals ranging from the FIFA corruption investigation, the operation “Car Wash”, the VW emissions scandal, economic sanctions violations and heavy settlements involving banks. These developments once again highlight the most prominent risks faced by businesses around the world.

Major regulatory and enforcement developments from international regulators and prosecutors are also showing a relentless focus on investigating and prosecuting wrongdoing. The very recent appointment of the U.S. DOJ’s New Compliance Counsel is signalling that the Department will be thoroughly involved in conducting compliance programmes reviews to test whether they are effective and adequate.

Join the event where the European compliance community meet every January in Frankfurt.

CS’s 11th Advanced Conference on International Compliance & Legal Risks has once again been designed to reflect the realities of modern compliance and legal roles.

The conference gathers senior representatives of the U.S. Department of Justice, the U.S. Federal Bureau of Investigation, the Office of the Attorney General of Switzerland, the State Prosecution Office of Hamburg, the Deutscher Fußball-Bund, DFB, to provide the latest insights on enforcement global trends and priorities. In-house and outside counsel and international organisations will participate in a dialogue about the evolving liability of chief compliance officers and global compliance risks such as anti-trust, corruption, bribery and economic sanctions violations. They will discuss and present how they evaluate programme components and appropriately respond to issues as they arise.

Building from the previous year, the 2016 conference provides new topics such as the new dimension of compliance with sports activities and the risks related to sponsoring and partnerships, standards and certifications of compliance systems under scrutiny especially in light of the expectations of the DOJ’s New Compliance Counsel on the effectiveness of corporation compliance programmes. Other new topics of interest include learning points from the VW emission scandal, the importance to critically define the scope of an internal investigation to ensure that tax considerations are taken, The Sunshine Act in Germany and the increased attention to books & records monitoring.

Tailor your conference experience to your most urgent and pressing needs

Dedicated streams and workshops will allow you to identify key red flags for reporting to the board in alignment with your company’s risk matrix. Anonymous polling of the audience will gather this community’s best practices in compliance and risk management.

Take away practical compliance insights and implementable tools to avoid costly investigations, prosecutions and reputational damages. Learn how Europe’s leading companies are assessing their risk profiles to reflect a broad range of diverse global regulations, and translating their values and principles into day to day operations and behaviour.

Meet with colleagues in your industry who share common interests and challenges, and walk away with proven-effective strategies on compliance risk management for your companies and clients.

Group rates are available. Train your compliance and legal teams and save. Go to www.CS-Online.com/CLRConference to reserve your place now.

To register visit www.C5-Online.com/CLRConference

@C5live #C5anticorruption

Attendee Demographics

COUNTRY

- Germany
- Switzerland
- France
- U.K.
- Netherlands
- United States
- Austria
- Sweden
- Belgium
- Norway
- Russia
- United Arab Emirates

INDUSTRY

- Manufacturing
- Legal
- Oil & Gas
- Financial
- Consultancies
- Pharmaceutical
- Accounting
- Software & Tech.
- Government
- Telecoms
- Property
- Insurance
- Transport

JOB TITLE

- Compliance, Ethics & Risk
- General/ Legal Counsel
- Legal
- Partner/ Managing Partner
- Director/CEO
- Consultancies
- Operations
- Investigator
### Leading Enforcement Agencies & Regulators

<table>
<thead>
<tr>
<th>Name</th>
<th>Position and Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kathleen McGovern</td>
<td>Senior Deputy Chief, Fraud Section, U.S. Department of Justice (USA)</td>
</tr>
<tr>
<td>George &quot;Ren&quot; McEachern</td>
<td>Supervisory Special Agent and Acting Unit Chief, International Corruption Unit, Federal Bureau of Investigation (USA)</td>
</tr>
<tr>
<td>Manfred Nötzel</td>
<td>Chief Prosecutor, State Prosecution Office Munich I (Germany)</td>
</tr>
<tr>
<td>Dr. Claire A. Daams</td>
<td>Federal Attorney, The Office of the Attorney General (Switzerland)</td>
</tr>
<tr>
<td>Cornelia Gädigik</td>
<td>Senior Public Prosecutor, Staatsanwaltschaft (Hamburg)</td>
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</table>

### Keynote Speaker

**Dr. Rainer Koch**  
First Vice President, Deutscher Fußball-Bund, DFB (The German Football Federation)

### Conference Faculty

<table>
<thead>
<tr>
<th>Name</th>
<th>Position and Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Hans-Hermann Aldenhoff</td>
<td>Partner, Simmons &amp; Simmons (Germany)</td>
</tr>
<tr>
<td>Tassilo Amtage</td>
<td>Senior Regulatory Advisor, Commerzbank (Germany)</td>
</tr>
<tr>
<td>Maria A. Barton</td>
<td>Partner, Latham &amp; Watkins (USA)</td>
</tr>
<tr>
<td>Inken Brand</td>
<td>Senior Counsel Compliance, Dräger (Germany)</td>
</tr>
<tr>
<td>Luca Braulin</td>
<td>Head of Legal and Fiscal Affairs, Royal Bank of Scotland (Italy)</td>
</tr>
<tr>
<td>Avv. Federico Busatta</td>
<td>Partner, Gianni, Origoni, Grippo, Cappelli &amp; Partners (Italy)</td>
</tr>
<tr>
<td>Carsten Clausen</td>
<td>Chief Compliance Officer, B. Braun Melsungen AG (Germany)</td>
</tr>
<tr>
<td>Andrew Copland-Cale</td>
<td>Corporate Legal &amp; Compliance, Siemens AG (Germany)</td>
</tr>
<tr>
<td>Adela Deaconu</td>
<td>Director Corporate Export Controls, Legal Compliance, Philips Group Legal, Philips International B.V. (Netherlands)</td>
</tr>
<tr>
<td>Dr. Christoph C. Dengler</td>
<td>Vice President Legal, STADA Group (Germany)</td>
</tr>
<tr>
<td>Rudi Du Bois</td>
<td>Logistics Manager, EMEA Customs and Trade Compliance, DuPont (Belgium)</td>
</tr>
<tr>
<td>Dr. Cornelia Godzirer</td>
<td>Head of Compliance, Linde AG (Germany)</td>
</tr>
<tr>
<td>Dr. Stefan Heissner</td>
<td>Managing Partner, Fraud Investigation &amp; Dispute Services, EY GmbH (Germany)</td>
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<tr>
<td>Ayotola Jagun</td>
<td>Chief Compliance Officer &amp; Company Secretary, Oando PLC (Nigeria)</td>
</tr>
<tr>
<td>Frank Jastrob</td>
<td>Vice President Internal Audit &amp; Compliance, Jungheinrich AG (Germany)</td>
</tr>
<tr>
<td>Alexander Jüngling</td>
<td>Chief Compliance Officer, Danone (France)</td>
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<td>Dr. Sascha Krahe</td>
<td>Vice President, General Counsel &amp; Chief Compliance Officer, TAKATA AG (Germany)</td>
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<td>Sascha Kuhn</td>
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<tr>
<td>Dr. Thomas Lösler</td>
<td>Chief Compliance Officer, Allianz SE (Germany)</td>
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<tr>
<td>Eric Mayer</td>
<td>Partner, Pohlmann &amp; Company (Germany)</td>
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<tr>
<td>Dirk Middelschulte</td>
<td>Compliance Director &amp; Head of Antitrust, Danone (France)</td>
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<tr>
<td>Dr. Klaus Moosmayer</td>
<td>Chief Compliance Officer, Siemens AG (Germany)</td>
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<tr>
<td>Agostino Nuzzolo</td>
<td>General Counsel, Compliance and Tax Director, Italcementi Group (Italy)</td>
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<tr>
<td>Cornelis (Kees) van Ophem</td>
<td>Global General Counsel &amp; EVP, Fresenius Medical Care (Netherlands)</td>
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<tr>
<td>Richard Palmer</td>
<td>Director, Fraud Investigation &amp; Dispute Services, EY (UK)</td>
</tr>
<tr>
<td>Robertson Park</td>
<td>Partner, Murphy &amp; McGonigle (USA)</td>
</tr>
<tr>
<td>Andreas Pyrcek</td>
<td>Partner – Fraud Investigation &amp; Dispute Services, EY GmbH (Germany)</td>
</tr>
<tr>
<td>Dr. Thilo Reimers</td>
<td>Senior Counsel /Compliance, Antitrust – Advice &amp; Compliance, Deutsche Bahn (Germany)</td>
</tr>
<tr>
<td>Christopher Rother</td>
<td>Former Head of Group Regulatory, Competition &amp; Antitrust, Deutsche Bahn and Managing Partner, Hausfeld (Germany)</td>
</tr>
<tr>
<td>John P. Rupp</td>
<td>Partner, Steptoe &amp; Johnson LLP (UK)</td>
</tr>
<tr>
<td>Jonathan J. Rusch</td>
<td>SVP – Head of Anti-Bribery &amp; Corruption Governance, Wells Fargo (USA)</td>
</tr>
<tr>
<td>Dr. Alexander von Saucken</td>
<td>Partner, ROXIN Rechtsanwälte LLP (Germany)</td>
</tr>
<tr>
<td>Sylvia Schenk</td>
<td>Chair of Working Group Sport, Transparency International (Germany)</td>
</tr>
<tr>
<td>Benno Schwarz</td>
<td>Partner, Gibson, Dunn &amp; Crutcher LLP (Germany)</td>
</tr>
<tr>
<td>Martin Schwarzbort</td>
<td>Chief Compliance Officer, ÖBB (Austria)</td>
</tr>
<tr>
<td>William J. Stellmach</td>
<td>Partner, Willkie Farr &amp; Gallagher LLP (USA) and former Acting Chief of the Criminal Division’s Fraud Section, U.S. Department of Justice</td>
</tr>
<tr>
<td>Dr. Mathias Traub</td>
<td>Head of Antitrust Law, Corporate Legal Services, Robert Bosch GmbH (Germany)</td>
</tr>
<tr>
<td>Satnam Tumani</td>
<td>Partner, Kirkland &amp; Ellis International LLP (UK)</td>
</tr>
<tr>
<td>Jacqueline Valk-Starmans</td>
<td>Group Legal Compliance, Legal counsel Anti-bribery &amp; Anti-corruption, Philips International B.V. (Netherlands)</td>
</tr>
<tr>
<td>Michael Walther</td>
<td>Partner, Gibson, Dunn &amp; Crutcher LLP (Germany)</td>
</tr>
<tr>
<td>Finn H. O. Zeidler</td>
<td>Partner, Latham &amp; Watkins (Germany)</td>
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**AGENDA AT A GLANCE**

**PRE-CONFERENCE WORKSHOPS | MONDAY 25 JANUARY 2016**

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<tr>
<th>Time</th>
<th>Session A</th>
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<tbody>
<tr>
<td>9:00 a.m – 12:30 p.m</td>
<td>A Complete Guide on How to Minimise Third Party Risks</td>
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**MAIN CONFERENCE DAY 1 | TUESDAY 26 JANUARY 2016**

<table>
<thead>
<tr>
<th>Time</th>
<th>Session A</th>
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<tbody>
<tr>
<td>8:30</td>
<td>Opening Remarks from Conference Co-Chairs</td>
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<tr>
<td>8:45</td>
<td>Deutscher Fußball-Bund (DFB) Keynote Address: Transparency and Compliance in Sports Today</td>
</tr>
<tr>
<td>9:15</td>
<td>Sponsorship, Partnership, Marketing, and Hospitality: Minimising Bribery, Corruption and Fraud Risks in Big Professional Sporting Events, Public-Private Partnerships and Community Activities</td>
</tr>
<tr>
<td>10:15</td>
<td>Morning Refreshments</td>
</tr>
<tr>
<td>10:45</td>
<td>Keynote Interview: Major Developments from the U.S. Department of Justice</td>
</tr>
<tr>
<td>11:45</td>
<td>Standards and Certifications of Compliance Systems under the Microscope: How Relevant They Are in Minimising Risks, and What to Do to Maintain Assurance of Regulatory Compliance</td>
</tr>
<tr>
<td>12:45</td>
<td>Networking Lunch</td>
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<tr>
<td>2:00</td>
<td>FBI Keynote Address: Powers and Investigative Techniques on Corruption Cases</td>
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<table>
<thead>
<tr>
<th>Time</th>
<th>Session B</th>
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</thead>
<tbody>
<tr>
<td>2:30</td>
<td><strong>BREAK OUT SESSION A</strong></td>
</tr>
<tr>
<td>2:30</td>
<td><strong>TRACK 1</strong> The Sunshine Act in Germany: Mitigating Liability Exposure from Transparency Reporting Requirements, and Creating Compliance Strategies for Life Sciences &amp; Healthcare Manufacturers</td>
</tr>
<tr>
<td>2:30</td>
<td><strong>TRACK 2</strong> Major Developments on Anti-Trust: Enforcements, Risk Assessment and Compliance Defense for Parent Companies in Anti-Trust Cases</td>
</tr>
<tr>
<td>3:30</td>
<td><strong>BREAK OUT SESSION B</strong></td>
</tr>
<tr>
<td>3:30</td>
<td><strong>TRACK 1</strong> Resolving Multi-Jurisdictional Enforcement Dilemmas: How to Manage Very Risky, Sensitive and Controversial Issues</td>
</tr>
<tr>
<td>3:30</td>
<td><strong>TRACK 2</strong> Russia and Iran Economic Sanctions Risks: How to Update Screening Procedures and Protocols to Reduce Risk Exposure Amid Rapidly Evolving Restrictions</td>
</tr>
<tr>
<td>4:30</td>
<td>Afternoon Refreshments</td>
</tr>
<tr>
<td>4:45</td>
<td>The Anti-Corruption Year in Review High Profile Cases, Key Lessons Learned and What Companies Should Do to Mitigate Enforcement Risk</td>
</tr>
<tr>
<td>6:00</td>
<td>Drinks Reception &amp; Conference Adjourns to Day 2</td>
</tr>
</tbody>
</table>

**MAIN CONFERENCE DAY 2 | WEDNESDAY 27 JANUARY 2016**

<table>
<thead>
<tr>
<th>Time</th>
<th>Session A</th>
</tr>
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<tbody>
<tr>
<td>8:40</td>
<td>Opening Remarks from Conference Co-Chairs</td>
</tr>
<tr>
<td>8:50</td>
<td>The Rise of Individual Criminal Liability Risk: Common Pitfalls Chief Compliance Officers Must Avoid</td>
</tr>
<tr>
<td>9:45</td>
<td>Lessons Learned from the “Volkswagen v. Environmental Protection Agency (EPA)”: Pros and Cons of the Adoption of a “Holistic” Approach to Compliance – Should the Compliance Department be in Charge?</td>
</tr>
<tr>
<td>10:30</td>
<td>Morning Refreshments</td>
</tr>
<tr>
<td>10:45</td>
<td>Compliance Programmes 2.0: What Leading Companies Are Doing to Monitor Their Anti-Corruption Compliance Programme, Ensure Business Proximity and Meet Expanding Government Expectations</td>
</tr>
<tr>
<td>12:15</td>
<td>Networking Lunch</td>
</tr>
<tr>
<td>2:15</td>
<td>How To Test the Effectiveness of Your Compliance Management System with Data Analytics: Identifying Future Compliance Efforts to Focus on Minimising Risks</td>
</tr>
<tr>
<td>3:00</td>
<td>Resolving Self-Disclosure and Tax Law Aspects Dilemmas During Internal Investigations</td>
</tr>
<tr>
<td>4:00</td>
<td>Afternoon Refreshments</td>
</tr>
<tr>
<td>4:15</td>
<td>Books &amp; Records Monitoring: How to Ensure Successful Collaborative Coordination across Compliance, Audit, Financial Control and Accounting Departments</td>
</tr>
<tr>
<td>5:15</td>
<td>Conference Co-Chairs’ Closing Remarks</td>
</tr>
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</table>

**AUDIENCE POLLING**

Select panels will utilise anonymous polling to collect audience feedback and benchmark on compliance, investigative and disclosure best practices. Polling is designed to give audience members a unique look into how industry is dealing with challenges related to anti-corruption compliance and enforcement. With individual keypads, participants will respond to panel questions confidentially, allowing for candid insights on sensitive, controversial issues.

**MEDIA AND ASSOCIATION PARTNERS**

To register visit www.C5-Online.com/CLRConference
A Complete Guide on How to Minimise Third Party Risks

Andrew Copland-Cale
Corporate Legal & Compliance
Siemens AG (Germany)

Dr. Sascha Krahe
Vice President, General Counsel & Chief Compliance Officer
TAKATA AG (Germany)

- What the latest investigations reveal about having a good due diligence report on third parties. How far do you have to go?
- How to conduct background reviews: public data, audits and interviews with limited resources
- How to design an effective questionnaire for third parties
- Defining the level of due diligence required for each type of commercial intermediary
- How can data analytics enhance your screening process and the effectiveness of your third party due diligence programme: internal controls, ownership, trade sanctions and transactions
- Determining ownership of the third party: conducting risk analysis to identify foreign government or foreign official ownership interests
- Evaluating industry reputation and professional record: how to obtain conclusive and accurate data related to business partners or individual agents in a remote and non-competitive market
- Filtering and risk grading: what questions should you ask yourself?
- Controlling and facilitating payments: how to assess the risk of third party vendors that handle your marketing and sponsorship activities
- What are the additional steps required when there are high risk and war/conflict zones?
  - getting through road blocks in Africa
  - local contents and payment requests for communities in the oil and gas, telecom sectors
- Who should approve the third party relationship: when should this be reviewed?
- Where multinationals are most at risk and how to implement an effective global internal system of controls
- Handling payments requested under duress: protection payments


Ayotola Jagun
Chief Compliance Officer & Company Secretary
Oando PLC (Nigeria)

Jacqueline Valk-Starmans
Group Legal Compliance, Legal counsel Anti-bribery & Anti-corruption, Philips International B.V. (Netherlands)

- What multinational companies can reasonably do to mitigate risks that are unique in high risk markets
- Customising your approach to the new markets landscape: essential components of effective compliance programmes based on your industry and geographic scope
- How to conduct an effective risk assessment of your anti-bribery and financial controls
- Who, what, when: staffing, scope and frequency of your assessments
- How to secure cooperation, and how to test whether you’re getting it
- How to design a module focusing on third party risks in high risk market
- Complying with a local content regime while also complying with local laws and regulations
- Strategies to detect fraudulent

This year marks 30 years since the inception of C5 Group. We’ve spent:

- 30 years hosting more than 6,000 conferences
- 30 years building a network of industry leaders
- 30 years expanding across the globe

It is time for a brand, logo and language in keeping with the dynamic strides we have made as a company. It is time for a brand that will take us forward for the next 30 years.

C5 Group, comprising C5 in Europe, American Conference Institute and The Canadian Institute, will unite under one central brand image, appropriately a globe. See how bringing together the power of people and the power of information can accelerate your growth and success. Our new brand look and language will be fully revealed this winter. Stay tuned for our exciting launch.
8:30 Opening Remarks from The Chair
Cornelis (Kees) van Ophem
Global General Counsel & EVP
Fresenius Medical Care

8:45 Deutscher Fußball-Bund (DFB) Keynote Address: Transparency and Compliance in Sports Today
Dr. Rainer Koch
First Vice President
Deutscher Fußball-Bund
DFB (The German Football Federation)

9:15 Sponsorship, Partnership, Marketing, and Hospitality: Minimising Bribery, Corruption and Fraud Risks in Big Professional Sporting Events, Public-Private Partnerships and Community Activities
Torsten Krumbach – Panel Moderator
Group Compliance Officer
Sky Deutschland AG (Germany)
Sylvia Schenk
Chair of Working Group Sport
Transparency International Germany
Maria A. Barton
Partner, Latham & Watkins (USA)
Dr. Rainer Koch
First Vice President, Deutscher Fußball-Bund
DFB (The German Football Federation)

10:15 Morning Refreshments

10:45 Keynote Interview: Major Developments from the U.S. Department of Justice
Kathleen McGovern
Senior Deputy Chief, Fraud Section
U.S. Department of Justice (USA)
William J. Stellmach
Partner, Willkie Farr & Gallagher LLP (USA) and former Acting Chief of the Criminal Division’s Fraud Section
U.S. Department of Justice – Interviewer
• Recent revisions to the FCPA Resource Guide
• The New DOJ Compliance Counsel: role, powers and the influence her opinions would have on prosecution, fines, appointment of a compliance monitor or a declination
• Increased enforcement of the books and records provision by the SEC, and other priorities
• How enforcement priorities are evolving between the DOJ, the SEC and the FBI
• Preparing for an increased focus on individuals in investigating allegations of criminal and civil corporate wrongdoing
• U.S. DOJ coordination with other governments and the rise of multi-jurisdictional investigations

11:45 Standards and Certifications of Compliance Systems under the Microscope: How Relevant They Are in Minimising Risks and What to Do to Maintain Assurance of Regulatory Compliance
Benno Schwarz – Panel Moderator
Partner
Gibson Dunn & Crutcher LLP
Dr. Klaus Moosmayer
Chief Compliance Officer
Siemens AG
Dr. Thomas Lösler
Chief Compliance Officer
Allianz SE (Germany)
Dr. Stefan Heissner
Managing Partner
Fraud Investigation & Dispute Services
EY GmbH (Germany)

• The proliferation of certifications and standards requirements: effects on companies compliance efforts to address the risks
• ISO standards, IDW and other certifications: comparing and contrasting the different approaches:
  - Who does what?
  - How transparent is the process?
  - What are the outcomes?
  - What is binding and what is not?
  - How can you test/audit the standard?
**BREAK OUT SESSION A**

**TRACK 1**
The Sunshine Act in Germany: Mitigating Liability Exposure from Transparency Reporting Requirements and Creating Compliance Strategies for Life Sciences & Healthcare Manufacturers

- Dr. Hans-Hermann Aldenhoff – Panel Moderator
  Partner
  Simmons & Simmons (Germany)

- Cornelis (Kees) van Ophem
  Global General Counsel & EVP
  Fresenius Medical Care (Netherlands)

- Inken Brand
  Senior Counsel Compliance
  Dräger (Germany)

- Carsten Clausen
  Chief Compliance Officer
  B. Braun Melsungen AG (Germany)

- Requirements under the new transparency rules for the payments of physician and gift giving in Europe including: France, Germany, Italy and the UK
- The criminal regimes and enforcement actions regarding transparency and contrasting the European landscape
- The new section 299 a in Germany and what it means in practice

**TRACK 2**
Major Developments on Anti-Trust: Enforcement, Risk Assessment and Compliance Defense for Parent Companies in Anti-Trust Cases

- Michael Walther – Panel Moderator
  Partner
  Gibson, Dunn & Crutcher LLP (Germany)

- Dr. Thilo Reimers
  Senior Counsel/Compliance (CRK 2) Antitrust – Advice & Compliance
  Deutsche Bahn (Germany)

- Dirk Middelschulte
  Compliance Director & Head of Antitrust
  Danone (France)

- Dr. Mathias Traub
  Head of Antitrust Law, Corporate Legal Services
  Robert Bosch GmbH (Germany)

- The year in review on regulatory and enforcement developments
  - the EU new sector enquiry targeting the High Tech, Internet and Healthcare sectors
  - the Bundeskartellamt- Federal Cartel Office’s crackdown on competition violations
  - the decision about the Cartel Damage Claims SA (CDC) case
- The Evonik Degussa v. Commission Case
- Settlements and interpretation of procedures
- Key lessons learned and how they can affect company’s compliance efforts and appetite to launch legal proceedings as victims of a cartel
- The rising focus on anti-trust risk assessment and management: how do you correctly assess the risks in the anti-trust area
  - key challenges and factors to consider when looking for objective criteria
  - how do they compare and contrast with an anti-corruption risk assessment?
- Avoiding an information sharing offence among parties in a M&A during the due diligence process
  - what behaviour could trigger “gun jumping” and severe fines/ cartel investigation
  - what is the right balance between sharing relevant information with potential buyers, but not sharing too much
- How can parent companies reduce their liability for antitrust violations committed by their subsidiaries involved in a cartel

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**Networking Lunch**

**2:00**

FBI Keynote Address: Powers and Investigative Techniques on Corruption Cases

George “Ren” McEachern
Supervisory Special Agent and Acting Unit Chief
International Corruption Unit
Federal Bureau of Investigation (USA)

- Investigations under RICO vs. FCPA
- How the FBI and the DOJ are working together
BREAK OUT SESSION B

TRACK 1

Resolving Multi-Jurisdictional Enforcement Dilemmas: How to Manage Very Risky, Sensitive and Controversial Issues

Satnam Tumani
Partner
Kirkland & Ellis International LLP (UK)

Robertson Park
Partner
Murphy & McGonigle (USA)

At this unique session, expert practitioners involved in some of the most complicated high profile cases will take the audience through a series of complex scenarios. The purpose of the session will be to discuss how to resolve the real-life, high stakes dilemmas of managing concurrent enforcement actions in multiple jurisdictions, as well as how to manage the risk of data privacy violations in the context of internal and government investigations post-EU Decision in Safe Harbour. Topics will include:

• How to deal with international prosecutors: Tailoring your approach based on the unique contexts of different jurisdictions

• Satisfying government requests for employee interviews: When/when not to dismiss an employee suspected of wrongdoing vs. keeping them employed

• How to manage the submission of documents to multiple governments post-EU decision on Safe Harbour: Responding to government document requests amid data privacy and state secret constraints

• Exploring alternative data transfer mechanisms, such as binding corporate rules and standard contractual clauses? What is the timing for their implementation?

• Managing U.S. agencies’ expectations for cooperation amid conflicting EU data privacy restrictions: The role of national authorities in authorising or denying data transfers

• Assessing the effect of an enforcement action – and your disclosures - in one country on those in other jurisdictions

• Weighing the risks of criminal prosecutions in China, Brazil and other countries following cooperation with the U.S. and other governments

TRACK 2

Russia and Iran Economic Sanctions Risks: How to Update Screening Procedures and Protocols to Reduce Risk Exposure Amid Rapidly Evolving Restrictions

Adela Deaconu
Director Corporate Export Controls
Legal Compliance, Philips Group Legal
Philips International B.V. (The Netherlands)

Tassilo Amtage
Senior Regulatory Advisor
Commerzbank (Germany)

Rudi Du Bois
Logistics Manager, EMEA Customs and Trade Compliance, DuPont (Belgium)

• The latest U.S. and EU sanctions against Russia and counter sanctions by Russia: what law governs?

• Overview of the latest developments on sanctions against Iran and what to prepare for

• Persons, entities, products and transactions subject to U.S. and EU sanctions

• Assessing risks based on your specific business activities: How to customise screening criteria to the risks posed by particular products, transactions and customer/product volume

• How to determine your partners’ percentage of ownership pursuant to the “50% rule”

• What the legal and compliance departments of western companies and their Russia/Crimea-based subsidiaries must do from a compliance perspective

• How the interaction between banks and corporates is affected by rapidly changing regulations

• Reconciling the desire for corporates to re-enter the Iranian market with the justifiable prudence of banks

• Addressing the increase request for information and documentation on transactions being financed by banks

• Which USA, EU and other lists and databases to incorporate into your programme: factors to consider when selecting government and vendor lists and software

• Tailoring global sanctions compliance procedures to your Russian and Iranian operations

• What to do once a hit is discovered, and when to contact authorities

• Setting up a training and awareness programme for employees and third parties

4:30

Afternoon Refreshments

4:45

The Anti-Corruption Year in Review; High Profile Cases, Key Lessons Learned and What Companies Should Do to Mitigate Enforcement Risk

Finn H. O. Zeidler – Panel Moderator
Partner
Latham & Watkins (Germany)

Manfred Nötzel
Chief Prosecutor
State Prosecution Office Munich I (Germany)*

Dr. Claire A. Daams
Federal Attorney
The Office of the Attorney General (Switzerland)

Cornelia Gädigk
Senior Public Prosecutor
Staatsanwaltschaft (Hamburg)
This panel discussion will be facilitated by Finn H. O. Zeidler who will conduct an interactive Q&A session with current officials. Covering the enforcement trends and priorities going forward, you will gain a deeper insight as to what is driving current investigations and how cross-border anti-corruption enforcement is reshaping the global compliance landscape especially with latest and potentially far reaching scandals such as Petrobras, FIFA and others. Make sure your questions get answers – Submit your questions to panel interviewers at y.lingom@c5-online.com.

- Recent trend of different government agencies working together
- What opportunity is offered to companies to enter into negotiations for DPAs in the UK
- The latest revision of the FCPA Resource Guide: what does the clarity on accounting provisions and criminal penalties bring, and what is expected?
- Lessons learned from the Rheinmetall AG and Formula One settlement
- What triggers post-compliance settlement investigations (the Kirch vs. Deutsche Bank AG case)
- Key takeaways from BHP Billiton: the importance to get your books and records to avoid fines
- The far reaching implications of the Petrobras investigation on European companies and European prosecutors’ appetite for building a case on their own
- FIFA investigation: what the sport industry will expect going forward
- Protecting the Board when settling compliance investigations

Drinks Reception & Conference Adjourns to Day 2

 MAIN CONFERENCE DAY 2
WEDNESDAY 27 JANUARY 2016

8:40 Opening Remarks from The Chairs
Christopher Rother
Former Head of Group Regulatory, Competition & Antitrust
Deutsche Bahn and Managing Partner, Hausfeld (Germany)

8:50 The Rise of Individual Criminal Liability Risk: Common Pitfalls Chief Compliance Officer Must Avoid
John P. Rupp – Panel Moderator
Partner
Steptoe & Johnson LLP (UK)
Dr. Christoph C. Dengler
Vice President Legal
STADA Group (Germany)
Alexander Jüngling
Chief Compliance Officer
Danone (France)

- Compliance governance structures: who should/can the chief compliance officer report to?
- What is the “criminal” responsibility of the compliance officer himself?
- What happens if the compliance officer gives the wrong advice?

9:45 Lessons Learned from the “Volkswagen v. Environmental Protection Agency (EPA)” : Pros and Cons of the Adoption of a “Holistic” Approach to Compliance – Should the Compliance Department Be in Charge?

One of the key challenges post-settlement is implementing and maintaining is a true culture change across your company. At this highly anticipated panel, industry decision-makers will discuss how to detect and prevent non obvious compliance risks which are not always on the radar screen of the compliance office. Also in discussion will be the obstacles to support a strong compliance culture for the short and long terms following a high profile enforcement action. The expert speakers will discuss the many compliance lessons learned from the VW scandal, challenges of modern compliance and how their respective organisations have been successful in strengthening their global training and compliance programmes while fostering employee engagement.

- How to deal with internal and external sources of suspected non-compliance
- Implementing an effective whistle blower system that responds to suspected misconduct or irregularities and does not ignore them
- Where does the responsibility of the compliance organisation start and end?
- How can the prevention and control of “technical compliance” in companies be brought under the scope of the compliance department

10:45 Morning refreshments

Compliance Programmes 2.0: What Leading Companies Are Doing to Monitor Their Anti-Corruption Compliance Programme, Ensure Business Proximity and Meet Expanding Government Expectations
Eric Mayer – Panel Moderator
Partner, Pohlmann & Company (Germany)
Martin Schwarzbartl
Chief Compliance Officer at ÖBB (Austria)
Andreas Pyrcek
Partner – Fraud Investigation / Business Integrity & Corporate Compliance, EY (Germany)
Jonathan J. Rusch
SVP – Head of Anti-Bribery & Corruption Governance Wells Fargo (USA)
Agostino Nuzzolo
General Counsel, Compliance and Tax Director Italcementi Group (Italy)

- How to adapt and re-adjust your compliance programme in response to local and international corruption risks
• Addressing overlap and conflicts within and across departments in order to ensure a global integrated approach – procurement, finance, legal, compliance
• Ensuring that business and operations are bought in to the compliance and internal controls systems
• Going from the perfect paper compliance to the ability to demonstrate how close it is to the operations
• The question about implementing an effective compliance system accounting for anti-corruption, anti-trust, export control, AML and get it together: Myth or reality?
• How to ensure effective reporting, oversight and accountability by global and local employees and officers – checks and balances for “staying connected”
• Who do the chief compliance officers report to?
  - how the governance system you operate on can affect the effectiveness of reporting
  - a direct reporting line to the CEO and the supervisory board vs. and indirect reporting line
  - where the chief compliance officer seats in the corporate hierarchy
• Ensuring information sharing across and between departments: how to maintain compliance continuity across the compliance functions in each departments and making sure that the chain does not break


Ayotola Jagun
Chief Compliance Officer & Company Secretary
Oando PLC (Nigeria)

Dr. Cornelia Godzierz
Head of Compliance
Linde AG (Germany)

This panel will discuss how companies are tailoring their due diligence to risk factors that are specific to the third parties, jurisdiction and transactions in question. Audience members will be receiving a survey in advance to anonymously describe how they are approaching due diligence amid heightened enforcement risks. In addition to sharing the survey results at the session, further benchmarking will be accomplished through audience polling.

• Designing a questionnaire for third parties: What type of information to include
• Knowing how far down the supply chain to explore
• The recent requirements of the Modern Slavery Act: what your organisation’s business and supply chain need to know and achieve in respect to screening and due diligence processes
• Developing a tiered due diligence approach based on the appropriate risk level and type of third party in question
• Unique challenges associated with critical types of third parties for your global business, including:
  - customs brokers and agents
  - lower tier suppliers and sub-distributors
  - consulting, sales and marketing intermediaries
  - foreign legal advisors and travel agencies

11:45  12:15  2:15  3:00

Networking Lunch

How To Test the Effectiveness of Your Compliance Management System with Data Analytics: Identifying Future Compliance Efforts to Minimise Risks

Richard Palmer
Director, Fraud Investigation & Dispute Services
EY (UK)

Today, a technology enabled strategy using data analytics should be the cornerstone of your compliance programme. Companies need to proactively monitor an exponentially growing number of transactions to ensure compliance with policies. Monitoring enables a company to understand the effectiveness of its compliance programme and where future efforts should focus to minimise risks. It can, however, be a challenge to determine what tools and techniques to use, what to test and measure, how to actually do it, how often to do it, and how to report the results in a way that stimulates action rather than fosters bureaucracy. This interactive session will discuss:

• What a data-drive strategy will actually achieve
• How to design and deliver a proactive, risk-based audit programme centred on automated data analytics processes in your organisation
• What detection programme strategies are better practices for your industry?
• How to manage the results – all of the red flags and potential false positive results
• How to cater for multiple languages in your data

Resolving Self-Disclosure and Tax Law Aspects Dilemmas During Internal Investigations

Sascha Kuhn – Panel Moderator
Partner
Simmons & Simmons (Germany)

Luca Braulin
Head of Legal and Fiscal Affairs
Royal Bank of Scotland (Italy)

Dr. Alexander von Saucken
Partner, ROXIN Rechtsanwälte LLP (Germany)

Avv. Federico Busatta
Partner
Gianni, Origoni, Grippo, Cappelli & Partners (Italy)
A close look into the new self-disclosure regime since 2015: advantages and disadvantages

Voluntary self-disclosure vs. correction of returns

Which authority or authorities should be approached in local and in a cross-border investigation

Privilege considerations to be identified from the outset of the investigation

What is the threshold for mandatory disclosure in various jurisdictions including Germany, UK, US, Switzerland

Amnesty programmes and income tax
  - at what point the benefit offered by the programme becomes taxable
  - implications on the investigation and the company

Legal fees, administrative fines and the like
  Does the tax department have to know about it?
  How much information should you disclose?

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Date: 26 & 27 January 2016

Time: 8:30 a.m. – 6:00 p.m. & 8:40 a.m. – 5:15 p.m.

Venue: Villa Kennedy Frankfurt

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Books & Records Monitoring: How to Ensure Successful Collaborative Coordination across Compliance, Audit, Financial Control and Accounting Departments

Frank Jastrob
Vice President Internal Audit & Compliance
Jungheinrich AG (Germany)

At this new and interactive panel discussion, Audit, compliance and legal decision-makers will discuss how the evolving global corruption enforcement landscape has changed approaches to cross-departmental coordination, risk management, and books and records monitoring. Topics will include:

- Leveraging the internal audit function to better detect compliance weak spots and strengthen internal controls
- Overcoming key challenges to striking a balance between financial, audit and legal objectives in the context of external audits, investigations and daily operations
- Detecting illegal payments hidden or concealed in your company’s books and records
- Corporate governance: First-hand insights on reporting and communicating with boards and audit committees
- Compliance audits: practical walkthrough of anti-corruption audit programmes and testing procedures
- Dealing with an enforcement issue across departments, and when and how to get the board involved
- Special cases on how to account for some transactions while maintaining transparency of the traceability: accounting in joint ventures, consortia and subsidiaries, gifts, charitable & political contributions and commissions

CONFERENCE Co-Chairs’ Closing Remarks

(*’ Denotes Speaker Invited

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